

Notice of Allowability

Application No.

10/695,534

Applicant(s)

TOMITA, HIROYUKI

Examiner

B. Clayton McCraw

Art Unit

3744

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/20/2006.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

Response to Arguments

1. Applicant's arguments, see Remarks, filed 3/20/2006, with respect to claims 1-28 have been fully considered and are persuasive, in addition to the claim amendments. The rejection of claims 1-6,8-13 and 15, and objection to claims 7, 14, and 16-19 have been withdrawn.

Allowable Subject Matter

2. Claims 1-28 are allowed.

3. The following is an examiner's statement of reasons for allowance: As per claims 1 and 7, the prior art fails to teach an air conditioning unit including an operation portion, environmental condition detecting device including surface temperature detecting means, a control characteristic memory means, a control unit calculating solar radiation thermal load based on temperatures of areas close to a window of a vehicle, a manual setting device, and specifically, the control characteristic memory means storing plural control values as control characteristics applied to the operation portion in accordance with the thermal radiation load and when the manual setting device manually changes a control value of the operation portion at a time, the control unit changes a control value calculated based on the solar radiation thermal load at the time, among the plural control values stored in the control characteristic memory means.

Although Ichishi et al. (US 6,012,297) teach many of the elements of the present invention as described above, Ichishi et al. explicitly fail to teach the control characteristic memory means storing plural control values as control characteristics

applied to the operation portion in accordance with the thermal radiation load and when the manual setting device manually changes a control value of the operation portion at a time, the control unit changes a control value calculated based on the solar radiation thermal load at the time, among the plural control values stored in the control characteristic memory means. As per claim 9, the prior art fails to teach a temperature adjusting unit for adjusting the temperature of a vehicle comprising a blower, an area temperature detecting device that changes the temperature in accordance with solar radiation direction, a control means for controlling the temperature and flow amount, the control means determining the air outlet mode in accordance with the calculated target air temperature, a target temperature calculating means for calculating a target air temperature based on at least a set temperature, an inside air temperature inside the passenger compartment, an outside air temperature outside the passenger compartment, and specifically, a solar radiation amount that is calculated based on the temperature detected by the area temperature detecting device.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Clayton McCraw whose telephone number is (571) 272-3665. The examiner can normally be reached on M-F 8:30AM-5:00PM.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BCM
6/15/2006



CHERYL TYLER
SUPERVISORY PATENT EXAMINER